

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9

10 AMY M. WALKER HALE,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting
14 Commissioner of the Social Security
Administration,

15 Defendant.

CASE NO. 2:17-cv-00567-JRC

ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES

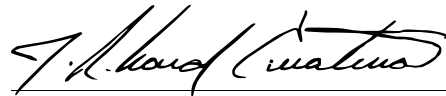
16
17 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
18 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge
19 and Consent Form, Dkt. 3; Consent to Proceed Before a United States Magistrate Judge, Dkt. 5).
20 This matter is before the Court on plaintiff's Stipulated Motion for Attorney Fees (*see* Dkt. 14).

21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the stipulation of
22 the parties (*see* Dkt. 14), the attorney declaration and time and expense itemizations (Dkt. 14,
23 Attachments 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of
24

1 \$4,452.18, shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v.*
2 *Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Victoria B.
7 Chhagan, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see*
8 Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees, Dkt. 14, Attachment 4;
9 *see also* Attachment 5). If there is an offset, the remainder shall be made payable to plaintiff,
10 based on the practice of the Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt.
11 22, p. 4). Any check for EAJA fees shall be mailed to plaintiff's counsel, Victoria B. Chhagan,
12 Esq., at Douglas, Drachler, McKee & Gilbrough, 1904 Third Avenue, Seattle, WA 98101.

13 Dated this 27th day of February, 2018.

14 

15 J. Richard Creatura
16 United States Magistrate Judge
17
18
19
20
21
22
23
24